

REMARKS

Applicant thanks the Examiner for the telephone interview conducted on August 29, 2006 with the undersigned and Denis G. Maloney attorneys for applicant. The Examiner agreed that the Mosler reference discloses using a cash based margin protocol, but does not disclose or suggest using an asset based margin protocol. Without narrowing the claim, Applicant's representative agreed to amend claim 1 to recite "determining which one of a cash based margin protocol or an asset based margin protocol is required by an open position." The Examiner agreed that, after such amendment, claim 1 and the other claims if amended accordingly would neither be anticipated nor made obvious by Mosler. The Examiner indicated that she will conduct another search, and if no reference is found that discloses or suggests the limitation "determining which one of a cash based margin protocol or an asset based margin protocol is required by an open position," she would allow the application.

Applicant has made clarifying amendments to claims 12 and 20 similar to claim 1.

All of the dependent claims are allowable for at least the reasons for which the claims on which they depend are allowable.

Any circumstance in which the applicant has addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner. Any circumstance in which the applicant has made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims. Any circumstance in which the applicant has amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Applicant : Larry Scheinberg et al.
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Respectfully submitted,

Date: 8/30/2006

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